

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL ESPINO,)
)
)
Plaintiff,)
)
)
v.) No. 4:11-CV-1254-FRB
)
)
STATE OF MISSOURI,)
)
)
Defendant.)

ORDER OF DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(b)

This matter is before the Court upon its own motion. On August 1, 2011, this Court ordered plaintiff to submit a certified copy of his prison account statement [Doc. #3]. Plaintiff was advised that his failure to comply with the Court's Order would result in dismissal of his case, without prejudice. Plaintiff has failed to comply with said Order, and his time for doing so has expired.

Therefore,

IT IS HEREBY ORDERED that the instant action is **DISMISSED**, without prejudice, for plaintiff's failure to comply with this Court's Order of August 1, 2011. See Fed. R. Civ. P. 41(b).

IT IS HEREBY CERTIFIED that, pursuant to 28 U.S.C. § 1915(a), an appeal from this dismissal would not be taken in good faith.

Dated this 19th day of September, 2011.

/s/Jean C. Hamilton
UNITED STATES DISTRICT JUDGE